

CHAPTER 93-02-03 GENERAL RULES

Section	
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93-02-03-01. Powers of private investigative and security board.
Repealed effective May 1, 2000.

93-02-03-02. License fees - Proration - Refunds - Dual licensure.
License fees for providing private investigative services and private security services may be prorated on a quarterly basis for each period the license is in effect. However, license renewals will not be issued on a prorated basis, and no refunds may be made on license fees paid. Any agency providing both private investigative services and private security services shall meet all of the requirements for licensing as a private security agency and a detective agency.

History: Effective March 1, 1990; amended effective May 1, 2000.

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-11

93-02-03-03. Renewal of licenses and registrations.

1. Licenses and registrations issued by the board expire on September thirtieth of each odd-numbered year.
2. Every individual or agency who previously held a license or registration issued by the board and whose license or registration has expired may have the same restored immediately upon payment of all lapsed renewal fees and any applicable late fees; provided, however, that not more than sixty days has elapsed since the date of expiration, and provided that the individual or agency has not provided private investigative or private security services during the time in which the license or registration was expired.
3. This section does not relieve any person from criminal prosecution for engaging in practice or providing services without a license as required by North Dakota Century Code chapter 43-30. Once a license or registration has lapsed, the individual or agency who held the license or registration may not provide private investigative or private security services until the license or registration is renewed or until a new license or registration is issued.

4. Any individual or agency who fails to renew a lapsed license or registration and who fails to pay all lapsed renewal fees and late fees within the time required by this section must reapply for a new license or registration and meet all the requirements for licensing or registration, including a state and nationwide criminal history record check.

History: Effective March 1, 1990; amended effective May 1, 2000; May 1, 2005.

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-11

93-02-03-04. Grandfather clause. Repealed effective May 1, 2000.

93-02-03-05. Suspension, revocation, or refusal to renew license. In addition to the causes for suspension, revocation, or refusal to renew a license listed in North Dakota Century Code section 43-30-12, the board may either refuse to renew, suspend, revoke, or place on probationary status any licensee, or issue a letter of reprimand for any of the following causes:

1. Failure or refusal to furnish information required by statute, rule, or request of the board.
2. Making or causing to be made any false entry or written statement of fact in an application for license or registration, in reports, or in other written information to be filed with the board.
3. Fraud in the taking of examination for licensing.
4. Carrying a weapon in violation of any statute or rule specifically regulating the carrying of weapons by private investigators or private security personnel, or in violation of any state and federal laws.
5. Providing private investigative or private security services under a lapsed license or registration.
6. Violation of any of the rules in this article.
7. Insufficient supervision of registered employees by the employing agency, by the licensee who is responsible for agency personnel under section 93-02-01.1-03 or 93-02-02.1-03, or by any other licensee who is responsible for supervising the employee's work under section 93-02-01.1-04 or 93-02-02.1-04.
8. Unprofessional conduct, which includes engaging in criminal activity and providing incompetent services.

History: Effective March 1, 1990; amended effective May 1, 1998; May 1, 2000.

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-12

93-02-03-06. Fees - Amount - Late fees. In addition to statutory fees, the board charges the following fees:

1. An individual shall pay a fee of one hundred dollars to take the examination to become licensed to provide investigative or private security services.
2. An individual shall pay a fee of one hundred thirty dollars to receive an initial license or renew the individual's license to provide private investigative or private security services.
3. An individual or entity shall pay a fee of one hundred dollars to apply for a license to operate a private security or detective agency.
4. An individual or entity shall pay a fee of two hundred fifty dollars to receive an initial license or renew a license to operate a private security or detective agency.
5. An individual shall pay a fee of twenty dollars to receive a private security training certificate.
6. An individual shall pay an annual fee of twenty dollars to receive an armed private security certificate. Armed private security certificates expire on September thirtieth of each year.
7. An individual or entity shall pay a fee of ten dollars to obtain a duplicate license.
8. An individual shall pay a fee of eighteen dollars to obtain an initial registration to provide private investigative or private security services. There is no charge for renewing an individual's registration to provide private investigative or private security services, but a late fee of ten dollars must be paid for each month the renewal is late.

History: Effective May 1, 2000; amended effective May 1, 2005.

General Authority: NDCC 43-30-04

Law Implemented: NDCC 43-30-16